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MONTANA LEGISLATIVE HISTORY

Chapter 616 19 91

Bill H 1010 S _____ Original bill & history ✓ C

H. Committee on Appropriations

Hearing Date(s) 3/25 ✓ C

_____ ____ C

_____ ____ C

_____ ____ C

Date Out _____ ____ C

S. Committee on Natural Res.

Hearing Date(s) 4/10 ✓ C

_____ ____ C

_____ ____ C

_____ ____ C

Did this bill originate in an interim committee? ____ Yes ____ No

Committee _____ Report _____

HOUSE BILL NO. 1,010

INTRODUCED BY Dave Brown

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A HARD-ROCK MINING IMPACT TRUST RESERVE ACCOUNT; AUTHORIZING AND LIMITING EXPENDITURES FROM THE RESERVE ACCOUNT; APPROPRIATING MONEY TO THE HARD-ROCK MINING IMPACT BOARD FROM THE RESERVE ACCOUNT; AMENDING SECTIONS 90-6-304 AND 90-6-331, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 90-6-304, MCA, is amended to read:

"**90-6-304. Accounts established.** (1) There is within the state ~~special revenue fund~~ agency fund type a hard-rock mining impact account. ~~Moneys are~~ Money is payable into this account from payments made by a mining developer in compliance with the written guarantee from the developer to meet the increased costs of public services and facilities as specified in the impact plan provided for in 90-6-307. The state treasurer shall draw warrants from this account upon order of the ~~hard-rock mining impact~~ board.

(2) There is within the state special revenue fund a hard-rock mining impact trust account. Within this trust account, there is established a reserve account not to exceed $100,000.

(a) Money within the hard-rock mining impact trust account may be used:

(i) for the administrative and operating expenses of the board, as provided by 90-6-303(4);

(ii) to establish and maintain the reserve account; and

(iii) for distribution to the counties of origin, as provided by 90-6-331(1) and this section.

(b) Money within the hard-rock mining impact trust reserve account may be used for the administrative and operating expenses of the board if:

(i) the revenue provided under 15-37-117(1)(b) is less than the amount appropriated for the administrative and operating expenses of the board; or

(ii) the use of the reserve account revenue is necessary to allow the board to meet its quasi-judicial responsibilities under 90-6-307, 90-6-311, or 90-6-403(3).

(c) The board shall report to the legislature any expenditure from the hard-rock mining impact trust reserve account.

(3) Money is payable into ~~this~~ the hard-rock mining impact trust account under the provisions of 15-37-117. After first deducting the administrative and operating expenses of the board, as provided in 90-6-303, and then establishing and maintaining the reserve account in the amount of $100,000, as provided in subsection (2) of this

INTRODUCED BILL
HB 1010

section, the remaining money must be segregated within the account by county of origin. The state treasurer shall draw warrants from this account upon order of the ~~hard-rock mining---impact~~ board. ~~If---money---available---to---pay administrative-and-operating-expenses-is--insufficient,--the board--may--apply--for--supplemental--money-from-the-general fund.~~"

Section 2. Section 90-6-331, MCA, is amended to read:

"**90-6-331. Fund transfer.** (1) On July 1, 1990, and ~~on~~ prior to each ~~July--1~~ October 1 thereafter, all ~~funds remaining~~ money segregated by county in the hard-rock mining impact trust account following allocation to the hard-rock mining impact trust reserve account established in 90-6-304(2) ~~after-June-30~~ as of September 1 immediately preceding must be transferred to the county for which the funds have been held in deposit. The funds so transferred must be deposited in the county hard-rock mine trust reserve account established in 7-6-2225.

(2) The transfer of funds required by this section is a statutory appropriation pursuant to 17-7-502."

NEW SECTION. **Section 3. Appropriation.** There is appropriated to the hard-rock mining impact board an amount not to exceed $100,000 from the hard-rock mining impact trust reserve account, as established in 90-6-304(2).

NEW SECTION. **Section 4. One-time reservation of funds.**

Any money within the hard-rock mining impact trust account on [the effective date of this act], regardless of fiscal year of origin, that is not expended to pay administrative and operating expenses incurred during the current fiscal year must be retained in the hard-rock mining impact trust reserve account established in 90-6-304(2).

NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB1010, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act establishing a hard-rock mining impact trust reserve account; authorizing and limiting expenditures from the reserve account; appropriating money to the hard-rock mining impact board from the reserve account.

ASSUMPTIONS:

1. The proposed legislation appropriates the remaining fund balance of $75,001 in hard-rock mining impact trust account and future unexpended balances from the 1.5% metal mines license tax revenue to the proposed hard-rock mining impact trust reserve account.
2. The hard-rock mining impact trust reserve account will retain $100,000 of the license tax revenue which is statutorily appropriated. The reserve account will be used for administrative and operating purposes, to offset revenue shortfalls and provide funding for the board's adjudicatory functions, as required by statute.
3. The proposed legislation will not affect state metal mines license tax revenue or existing allocations.
4. The Hard Rock Mining Board is required to report expenditures from the reserve to the legislature.

FISCAL IMPACT:

None until needed as authorized by statute.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

1. No significant or immediate effect. Money transferred to counties from the Hard-Rock Mining Impact Trust Account is credited to the counties' hard-rock trust reserve accounts and not available for expenditure until the taxpaying mine closes or reduces its workforce by half.
2. Does not affect the state's 25% allocation of metal mines license tax revenue to counties or the allocation of license tax revenues by the county.

3-27-91

ROD SUNDSTED, BUDGET DIRECTOR — DATE
Office of Budget and Program Planning

3-27-91

DAVE BROWN, PRIMARY SPONSOR — DATE

4/20	SIGNED BY PRESIDENT		
4/20	TRANSMITTED TO GOVERNOR		
4/24	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 615	EFFECTIVE DATE: 7/01/91	

HB 1009 INTRODUCED BY PAVLOVICH, ET AL.
HONORARY CASH BENEFIT FOR VETERANS OF OPERATION DESERT STORM

3/23	INTRODUCED		
3/23	REFERRED TO APPROPRIATIONS		
3/23	FIRST READING		
3/23	FISCAL NOTE REQUESTED		
3/27	HEARING		
3/27	TABLED IN COMMITTEE		
3/28	FISCAL NOTE RECEIVED		
4/02	FISCAL NOTE PRINTED		

HB 1010 INTRODUCED BY D. BROWN
ESTABLISH HARD-ROCK MINING IMPACT TRUST RESERVE ACCOUNT

3/23	INTRODUCED		
3/23	REFERRED TO APPROPRIATIONS		
3/23	FIRST READING		
3/23	FISCAL NOTE REQUESTED		
3/26	COMMITTEE REPORT—BILL PASSED		
3/27	FISCAL NOTE PRINTED		
3/27	FISCAL NOTE RECEIVED		
3/28	2ND READING PASSED	92	8
3/28	ON MOTION RULES SUSPENDED TO PLACE ON 3RD READING THIS DAY		
3/28	3RD READING PASSED	93	6
	TRANSMITTED TO SENATE		
3/28	FIRST READING		
3/28	REFERRED TO NATURAL RESOURCES		
4/10	HEARING		
4/11	COMMITTEE REPORT—BILL CONCURRED		
4/13	2ND READING CONCURRED	48	0
4/15	3RD READING CONCURRED	48	0
	RETURNED TO HOUSE		
4/19	SIGNED BY SPEAKER		
4/19	SIGNED BY PRESIDENT		
4/19	TRANSMITTED TO GOVERNOR		
4/24	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 616	EFFECTIVE DATE: 4/24/91	

HB 1011 INTRODUCED BY COHEN, ET AL.
GENERALLY REVISE PROPERTY TAXATION

3/27	INTRODUCED
3/27	REFERRED TO TAXATION
3/27	FIRST READING
3/27	FISCAL NOTE REQUESTED
4/03	FISCAL NOTE RECEIVED
	DIED IN COMMITTEE

HB 1012 INTRODUCED BY ELLIOTT
COLLECT CIGARETTE TAX FROM SALES TO NON-INDIANS ON INDIAN RESERVATIONS
BY REQUEST OF HOUSE TAXATION COMMITTEE

3/27	INTRODUCED
3/27	REFERRED TO TAXATION
3/27	FIRST READING

CHAIRMAN--FRANCIS BARDANOUVE
SECRETARY-SYLVIA KINSEY
NORMAL SCHEDULE==> SITE: ROOM 104 DAYS: M,T,W,T,F TIME: 8:00 A.M.

BILL NO	REFER DATE	HEARING DATE	CONSIDERATION DATES	COMMITTEE ACTION	REREFERRED TO COMM	DATE OUT
HB0975	3/04	3/20		TABLED ON 03/23		
WALLIN, NORM			APPROPRIATION TO UPDATE AND REPRINT BULLETIN 545 -- MONTANA LAW WATER RIGHT			
HB0977	3/11	3/19		DO PASS		3/25
BRADLEY, DOROTHY			REVISE AND EXTEND INPATIENT RESIDENTIAL PSYCHIATRIC TREATMENT			
HB0978	3/25	3/26		DO PASS		3/27
PHILLIPS, JOHN			REQUIRE SRS TO SEEK A WAIVER TO PROVIDE SERVICES IN PERSONAL CARE FACILITIES			
HB0980	3/25	3/26		TABLED ON 03/27		
RUSSELL, ANGELA			DESIGNATION OF STATE EPIDEMIOLOGIST			
HB0981	3/25	3/26		TABLED ON 03/27		
RUSSELL, ANGELA			APPROPRIATE FOR PROGRAM FOR EMOTIONALLY DISTURBED CHILDREN AND ADOLESCENTS			
HB0990	3/13	3/19		PASS AS AMENDED		3/25
RICE, SHEILA			FUND NATIONAL HISTORIC TRAIL INTERPRETIVE CENTER			
HB0999	3/25	3/26		PASS AS AMENDED		3/27
PECK, RAY			GENERALLY REVISE LAWS ON OUT-OF-DISTRICT PLACEMENT OF CHILD WITH DISABILITY			
HB1003	3/20				TAXATION	
MCCARTHY, BEA			SUPERVISORY FEES AND A SEPARATE PAY PLAN FOR PROBATION AND PAROLE OFFICERS			
HB1008	3/23			PASS AS AMENDED		3/27
BARDANOUVE, FRANCIS			ALLOCATE COAL TAX SEPARATELY FOR PARKS AND CULTURAL PROJECTS			
HB1009	3/23	3/27		TABLED ON 03/27		
PAVLOVICH, BOB			HONORARY CASH BENEFIT FOR VETERANS OF OPERATION DESERT STORM			
HB1010	3/23			DO PASS		3/26
BROWN, DAVE			ESTABLISH HARD ROCK MINING IMPACT TRUST RESERVE ACCOUNT			

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By FRANCIS BARDANOUVE, on March 25, 1991, at 7:00 P.M.

ROLL CALL

Members Present:

Francis Bardanouve, Chairman (D)
Ray Peck, Vice-Chairman (D)
Dorothy Bradley (D)
John Cobb (R)
Dorothy Cody (D)
Mary Ellen Connelly (D)
Ed Grady (R)
Larry Grinde (R)
John Johnson (D)
Mike Kadas (D)
Berv Kimberley (D)
Wm. "Red" Menahan (D)
Jerry Nisbet (D)
Mary Lou Peterson (R)
Joe Quilici (D)
Chuck Swysgood (R)
Bob Thoft (R)
Tom Zook (R)

Members Excused: Reps. Peck, Cobb, Kadas, Quilici and Thoft

Staff Present: Terry Cohea, Legislative Fiscal Analyst
Jim Haubein, Principal Fiscal Analyst
Sylvia Kinsey, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Note: Chair and Vice Chair switched positions several times and are not necessarily referred as "chair" in the minutes.

HEARING ON HOUSE BILL 1010

Establish Hard Rock Mining Impact Trust Reserve Account

Presentation and Opening Statement by Sponsor:

REP. DAVE BROWN, House District 72, Butte, said this bill creates a hundred thousand dollar reserve account out of non-general revenue funds, Special Revenue Account, RIT funds that go

to the closed down account. The problem is it took them about 2 1/2 months to convince him this was worthwhile. They are consistently 3/4 of a year behind in enough funds to run the Hard Rock Board. This requires them to borrow the money and pay it back. They have roughly $75,000 that has not been dispersed from carryover in 3 prior years that should go on down to the Hard Rock Impact Account and will eventually do so. They are asking that this money be held up front to operate the Board. He had asked for language to be put in line 17-19, page 2 that has them report to the Legislature any activity out of this account.

Proponents' Testimony:

Newell Anderson, Administrator of the Local Government Assistance Division, Dept. of Commerce, said the Hard Rock Mining Impact Board is attached to his division. He had asked for this bill rather late in the session, and is trying to get through the change from the last session in SB 410 which took away the fiscal capacity for the Board should there be arbitration between the developer and the Local Government. SB 410 took the money that had been held in trust at the state level and dispersed it to the counties where the mines were located.

EXECUTIVE ACTION ON HOUSE BILL 1010

Motion/Vote: **REP. MENAHAN** moved House Bill 1010 do pass. Second by Rep. Peterson. Motion passed unanimously.

HEARING ON HOUSE BILL 731

Management Standards for Forest Practices in Streamside Management Zones

Presentation and Opening Statement by Sponsor:

REP. ROBERT REAM, House District 54, Missoula, said in the hearing in Natural Resources Committee there were some valuable suggestions offered. There was a group of people from the forest industry and conservation that worked with him to develop some amendments to make the bill more workable and would have an impact on the fiscal note. They changed the enforcement provisions so the only enforcement that is done is done at the end at the same time the slash disposal inspection is done. He handed out **EXHIBITS 1, 2 AND 3. EXHIBIT 2** amendments were voted on and put on by the Natural Resources Committee but had not been included in the bill.

Proponents' Testimony:

Janet Ellis, Montana Audubon Legislative Fund, said they had worked with the Montana Logging Association, Wood products Industry and Trout Unlimited to come up with this compromise. Since it was determined this inspection would take approximately 1/2 hour to do and there are about 2300 separate harvesting

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL DATE 3-25-91

NAME	PRESENT	ABSENT	EXCUSED
REP. FRANCIS BARDANOUVE, CHAIRMAN	✓		
REP. RAY PECK, VICE-CHAIRMAN	✓		Pay Plan
REP. DOROTHY BRADLEY	✓		
REP. JOHN COBB	✓		PBL ?
REP. DOROTHY CODY	✓		
REP. MARY ELLEN CONNELLY	✓		
REP. ED GRADY	✓		
REP. LARRY GRINDE	✓		
REP. JOHN JOHNSON	✓		
REP. MIKE KADAS	✓		Pay Plan
REP. BERV KIMBERLEY	✓		
REP. WM. "RED" MENAHAN	✓		
REP. JERRY NISBET	✓		
REP. MARY LOU PETERSON	✓		
REP. JOE QUILICI	✓		Pay Plan
REP. CHUCK SWYSGOOD	✓		
REP. BOB THOFT	✓		Pay Plan
REP. TOM ZOOK	✓		

HOUSE STANDING COMMITTEE REPORT

March 26, 1991

Mr. Speaker: We, the committee on Appropriations report that House Bill 1010 (first reading copy -- white) do pass .

Signed: _____
Francis Bardanouve, Chairman

CHAIRMAN--LAWRENCE STIMATZ
SECRETARY-ROBERTA OPEL
NORMAL SCHEDULE==> SITE: ROOM 405 DAYS: M,W,F TIME: 3:00 P.M.

BILL NO	REFER DATE	HEARING DATE	CONSIDERATION DATES	COMMITTEE ACTION	REREFERRED TO COMM	DATE OUT
HB0781	4/04				TAXATION	
KIMBERLEY, BERV			AIR QUALITY PERMIT FEES			
HB0858	2/26	3/13		CONCUR		3/26
GILBERT, BOB			STATEWIDE HOUSEHOLD HAZARDOUS WASTE PUBLIC EDUCATION PROGRAM			
HB0891	2/27	3/13		CONCUR AS AMENDED		4/02
STICKNEY, JESSICA			FINANCIAL ASSURANCE REQUIREMENT FOR MEGALANDFILLS			
HB0908	2/26	3/20		CONCUR AS AMENDED		4/02
HARPER, HAL			WATER MEASURING			
HB0918	2/27	3/13		CONCUR		3/14
SOUTHWORTH, JIM			REVISED DEFINITION OF SOLID WASTE TO MAKE CONSISTENT WITH RELATED STATUTE			
HB0924	2/27	3/27		CONCUR AS AMENDED		4/02
MEASURE, BRUCE			FIRST RIGHT OF REFUSAL FOR RECREATIONAL EASEMENT ON ABANDONED RAIL BEDS			
HB0926	2/26	3/22		CONCUR		3/23
HOFFMAN, DAVID			PROVIDING FOR VOLUNTARY PERFORMANCE BONDS FOR WATER POLLUTION PERMITS			
HB0964	3/28	4/08		CONCUR		4/11
O'KEEFE, MARK			GENERALLY REVISING PESTICIDES STATUTES AND REPEALING HERBICIDE SURCHARGE			
HB0973	4/04				TAXATION	
STANG, BARRY			CREATING A SMALL PETROLEUM TANK RELEASE CLEANUP FUND AND SPECIAL FUELS FEE			
HB1010	3/28	4/10		CONCUR		4/11
BROWN, DAVE			ESTABLISH HARD ROCK MINING IMPACT TRUST RESERVE ACCOUNT			
HJ0008	2/13	3/25		CONCUR		3/26
KADAS, MIKE			JOINT RESOLUTION ENCOURAGING ENERGY CONSERVATION BY UTILITY COMPANIES			

roll call vote. Senators Keating and Tveit voted against the motion. Senator Weeding will carry HB-145.

HEARING ON HB-1010

Presentation and Opening Statement by Sponsor: Representative Dave Brown, District #72, said HB-1010 is a correction to SB-410 passed last session. HB-1010 establishes a Hard Rock Mining Impact Trust Reserve Account (HRMITRA), and it authorizes the movement of expenditures with that account. It also appropriates those reserve account funds to the Hard Rock Mining Impact Board. The Hard Rock Mining Impact Board is funded by 1.5% of the metal mines license tax. The board year begins July 1, and the money from these licenses comes in on March 1, so for 3/4 of a year the board essentially has to borrow against other state funds to operate. HB-1010 backs the money up in a one time shot, so the board operates from July 1 through the balance of the year with the amount of money the board needs to operate. It also allows for the board to take care of any arbitration proceedings that they might have. When he was first asked to carry this bill, he said no, because he thought there were not enough restrictions on the bill, and this could be interpreted as a slush fund. HB-1010 screws it down tight by requiring the reporting back to the Legislature if there is any appropriation.

Proponents' Testimony: Newell Anderson, Administrator of Local Government Assistance Division, Department of Commerce, said he supports HB-1010. The bill corrects an oversight of the implementation of SB-410 from two years ago. HB-1010 provides for a cash account for the Hard Rock Mining Impact Board to have the financial where-with-all to deal with principally the arbitration and mitigation functions that the board has in statute. It is a quasi-judicial board, and the board can be called upon to resolve disputes between developers and local governments. Without this kind of fiscal resource available to the board it is conceivable that the board would not be able to bring to bear the necessary quasi-judicial review of those disputes and resolve them. This could ultimately put those mining permits in jeopardy, and could cause people to lose jobs or slow down the process. The money captured in the account today is money that is presently sitting in the State Fund under the Hard Rock Mining Impact Trust Account. It is money that if it is not captured now it will be allocated to the trust accounts at the local government level. This bill does not propose to take the money away from local governments. The money continues to be in the trust account at the state level in the name of those counties in which it came. The money at some point in time, theoretically, will be distributed to those counties from which it came. If this money is not captured now, then there will be no money, and the board will have to look for new money

from another source in order to fund the capacity for the board to meet the quasi-judicial arbitration requirements. HB-1010 has no fiscal impact on the state. It creates no FTEs. HB-1010 only changes an oversight in a piece of complex legislation from two years ago.

Carol Ferguson, Administrative Officer, Hard Rock Mining Impact Board, said the board urged the committee to concur in HB-1010 (Exhibit #2).

Opponents' Testimony: none

Questions From Committee Members: none

Closing by Sponsor: Representative Brown had no closing remarks, but said that Senator Beck has agreed to carry HB-1010 if the committee concurs in the bill.

EXECUTIVE ACTION ON HB-1010

Motion: Senator Bianchi moved to Concur in HB-1010. The motion passed unanimously, and was recorded as a roll call vote. Senator Beck will carry HB-1010.

HEARING ON HB-731

Presentation and Opening Statement by Sponsor: Representative Bob Ream, District 54, said that HB-731 is the only bill still alive of 3 or 4 Forest Practices Bills that were before the House. In the 1987 session the Legislature passed HJR-49 which was for an interim study of forest practices and water shed effects. Out of that study came the Best Management Practices. EQC requested HB-678 which passed in the last session, and it called for voluntary Best Management Practices on the forest land in Montana. The EQC also had another bill before the last session which is basically HB-731, and it calls for BMP's in the stream management zone. In the last session that bill failed in a close vote on the House floor. Senator Ream said he re-introduced the bill this session because he felt that this very narrow ribbon of land on either side of water courses in forested areas of Montana is crucial to water quality and quantity. This area is also a place that is very important to wildlife habitat. In the EQC study and subsequent monitoring of the BMP's, it is apparent that the narrow ribbon of land is a place where there have been problems with forest management practices. The early

DATE 4-10-91

COMMITTEE ON Natural Resources

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One Support	Check One Oppose
Carol L. Ferguson	Hard-Rock Mining Impact Board	HB1010	X	
Newell Anderson	Dept of Commerce	HB1010	X	
Janet Ellis	MT Audubon	HB731	✓	
Chris Kaufman	MEIC	HB 145	X	
[illegible]	[illegible]	HB731	✓	
Brian McNitt	MEIC	HB145	X	
Valerie Horton	MINF	HB731	X	
Stan Bradshaw	MTU	HB414 HB731	✓	
Keith Olson	MT Logging Assn	HB731	✓	
Jim Jensen	MEIC	HB731	✓	
Gene Pilcher	DHES	HB414	✓	
[illegible]	DHES	HB414	✓	
Kim Wilson	[illegible]	731	✓	

(Please leave prepared statement with Secretary)

ROLL CALL

Natural Resources COMMITTEE

DATE 4-10-91

52 LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
Senator Anderson	X		
Senator Bengtson	X		
Senator Bianchi	X		
Senator Doherty	X		
Senator Grosfield	X		
Senator Hockett	X		
Senator Keating	X		
Senator Kennedy	X		
Senator Tveit	X		
Vice Chairman, Weeding	X		
Chairman Stimatz	X		

Each day attach to minutes.

SENATE NATURAL RESOURCES
EXHIBIT NO. 1
DATE 4-10-91
BILL NO. HB-1010

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 10 day of April, 1991.

Name: Dewell Anderson

Address: Mt. Dept. of Commerce
Helena, Mt.

Telephone Number: 444-3757

Representing whom?
Mt. Dept. of Commerce

Appearing on which proposal?
HB 1010

Do you: Support? X Amend? ____ Oppose? ____

Comments:
Rise in support of this bill on behalf of the Dept of Commerce. This bill enables the Hard Rock Mining Impact Board to have the fiscal resources necessary to perform its quasi judicial responsibilities.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

HOUSE NATURAL RESOURCES
EXHIBIT NO. 2
DATE 4-10-91
BILL NO. HB-1010

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 10th day of April, 1991.

Name: Carol L. Ferguson

Address: Hard-Rock Mining Impact Board, MT. Dept. of Commerce, Helena, MT. 59620

Telephone Number: 444-4478

Representing whom?

Hard-Rock Mining Impact Board

Appearing on which proposal? HB1010

Do you: Support? X Amend?____ Oppose?____

Comments:

HB1010 establishes a reserve within the Hard-Rock Mining Impact Trust Account and authorizes and limits expenditures from the reserve. HB1010 rectifies a problem created in 1989 by SB410. In transferring one function from the Trust Account to the affected counties, SB410 inadvertently disrupted the other functions of the Trust Account. HB1010 ensures that the Trust Account will continue to provide for both the administrative and operating appropriation for the Hard-Rock Mining Impact Board and the separate adjudication appropriation, if it is needed. As before, any revenue in excess of actual expenditures and the reserve, will be transferred to the counties in which the taxpaying mines are located.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

ROLL CALL VOTE

SENATE COMMITTEE Natural Resources

Date APRIL 10, 1991 Bill No. HB-1010 Time 5:11

NAME	YES	NO
Senator Anderson	X	
Senator Bengston	X	
Senator Bianchi	X	
Senator Doherty	X	
Senator Grosfield	X	
Senator Hockett	X	
Senator Keating	X	
Senator Kennedy	X	
Senator Tveit	X	
Senator Weeding, Vice Chairman	X	
Senator Stimatz, Chairman	X	

JOYCE INCHAUSPE-CORSON
Secretary

LARRY STIMATZ
Chairman

Motion: Move to Concur in HB-1010
Senator Beck will carry

SENATE STANDING COMMITTEE REPORT

April 11, 1991

MR. PRESIDENT:

We, your committee on Natural Resources having had under consideration House Bill No. 1010 (third reading copy - blue), respectfully report that House Bill No. 1010 be concurred in

Signed: [signature]
Lawrence G. Stimatz, Chairman

[signature]
Amd. Coord.

[signature] 10:05
Sec. of Senate